



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2010

Introduced 2/20/2009, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-8-10

from Ch. 38, par. 1003-8-10

Amends the Unified Code of Corrections. Provides that the speedy trial provisions relating to persons committed to the Department of Corrections who have untried complaints, charges or indictments pending in any county of this State do not apply to persons no longer committed to a facility or program of the Illinois Department of Corrections. Provides that a person serving a period of parole or mandatory supervised release under the supervision of the Department of Corrections shall not be deemed to be committed to the Department for the purpose of the speedy trial provisions. Effective immediately.

LRB096 08965 RLC 19103 b

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Unified Code of Corrections is amended by
5 changing Section 3-8-10 as follows:

6 (730 ILCS 5/3-8-10) (from Ch. 38, par. 1003-8-10)

7 Sec. 3-8-10. Intrastate Detainers. Except for persons
8 sentenced to death, subsection (b), (c) and (e) of Section
9 103-5 of the Code of Criminal Procedure of 1963 shall also
10 apply to persons committed to any institution or facility or
11 program of the Illinois Department of Corrections who have
12 untried complaints, charges or indictments pending in any
13 county of this State, and such person shall include in the
14 demand under subsection (b), a statement of the place of
15 present commitment, the term, and length of the remaining term,
16 the charges pending against him or her to be tried and the
17 county of the charges, and the demand shall be addressed to the
18 state's attorney of the county where he or she is charged with
19 a copy to the clerk of that court and a copy to the chief
20 administrative officer of the Department of Corrections
21 institution or facility to which he or she is committed. The
22 state's attorney shall then procure the presence of the
23 defendant for trial in his county by habeas corpus. Additional

1 time may be granted by the court for the process of bringing
2 and serving an order of habeas corpus ad prosequendum. In the
3 event that the person is not brought to trial within the
4 allotted time, then the charge for which he or she has
5 requested a speedy trial shall be dismissed. The provisions of
6 this Section do not apply to persons no longer committed to a
7 facility or program of the Illinois Department of Corrections.
8 A person serving a period of parole or mandatory supervised
9 release under the supervision of the Department of Corrections,
10 for the purpose of this Section, shall not be deemed to be
11 committed to the Department.

12 (Source: P.A. 83-346.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.